

APPENDIX C

PUBLIC COMMENTS/RESPONSES

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*Nez Perce*

ENVIRONMENTAL RESTORATION & WASTE MANAGEMENT
P.O. BOX 365 • LAPWAI, IDAHO 83540-0365 • (208) 843-7375 / FAX: 843-7378

December 4, 2001

Paul G.X. Dunigan, Jr.
NEPA Compliance Officer
Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

Re: DRAFT ENVIRONMENTAL ASSESSMENT (EA) FOR TRANSURANIC
WASTE RETRIEVAL IN THE 218-W-4B AND 218-W-4C LOW-LEVEL BURIAL
GROUNDS, HANFORD SITE, RICHLAND, WASHINGTON (DOE/EA-1405)

Dear Mr. Dunigan:

The Nez Perce Tribe's Environmental Restoration and Waste Management Program (ERWM) has reviewed the draft version of the *Draft Environmental Assessment (EA) for Transuranic Waste Retrieval in the 218-W-4B and 218-W-4C Low-Level Burial Grounds, Hanford Site, Richland, Washington (DOE/EA-1405)*. This letter contains, for your consideration, ERWM's comments and suggestions on this document.

The Nez Perce Tribe retains reserved treaty rights in the Mid-Columbia under the 1855 and 1863 treaties with United States government. These rights have been recognized and affirmed in subsequent federal and state actions. These actions protect Nez Perce rights to utilize their usual and accustomed resources and resource areas in the Hanford Reach of the Columbia River and elsewhere. Accordingly, ERWM has support from the U.S. Department of Energy (DOE) to participate in and monitor relevant DOE activities.

We have reviewed the document with careful consideration, and our comments follow.

- ✓ As listed in Section 2-1 PROPOSED RECORDS REVIEW, LLBG UPGRADES, AND STAGING OF EQUIPMENT in the **third paragraph** (and in Figure 10, the flow chart), review of the record information is vital to identification of the contents of the containers in the pits. However, the

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following final sentence of **paragraph two** warns that records may be compromised. "Because of waste management requirements and practices from before the mid-1980's, it is anticipated that storage/burial records for some containers might be incomplete or missing." The Tribe suggests that responsible record keeping of the contents of the assayed containers during this proposed action is a critical element of the action, and that a module **addressing responsible current record keeping** be added to end of the flow diagram to prevent incomplete or missing records in the future.

It is unclear whether methods and routes to the CWC or other TSDs are to be covered in this proposed action. The EA indicates there is adequate storage at the CWC, but that other TSDs might also be used. If so, what potential impacts to the environment might transport of wastes to these locations have?

- ✓ **Section 2.2 PROPOSED RETRIEVAL ACTIVITIES – Paragraph two** begins, "The most efficient methodology of removing the overburden from the drums would include the maximum use of heavy earthmoving equipment." This overburden is about one meter in thickness. The integrity of the tarps and plywood covering the containers of waste is not known at this point. Therefore, the Tribe expresses concern that using heavy equipment to remove soil cover of the trenches puts the waste containers at high risk for puncture or other destruction.

In addition, we did not notice any reference to checking the integrity of the storage trenches, such as the asphalt bottoms to the pits. As it is intended that the pits remain in use for LLW long-term storage, it would seem prudent to check the pits as well as the containers at this time.

- ✓ **Section 1.2 BACKGROUND - Within paragraph four (in italics)** it is stated that some retrieval of soil covered TRU was to have been handled by the proposed action DOE/EA-098 in 1995, but that activity was never implemented. What assurance is there that the currently proposed action will be implemented?

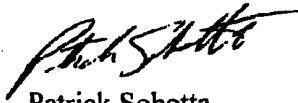
Editorial suggestions for further clarification are listed below

We suggest that the EA would read more clearly if:

- a.) When describing preliminary work in the LLBG area prior to retrieval, either upgrades or modifications be used, but not both; and,
- b.) That the **third sentence in Section 2.0 DESCRIPTION OF THE PROPOSED ACTION** read as follows: "*The drums would be assayed in the LLBG and designated as containing TRU waste or LLW.*"

The Nez Perce Tribe ERWM appreciates the opportunity to provide comments on the *Draft Environmental Assessment (EA) for Transuranic Waste Retrieval in the 218-W-4B and 218-W-4C Low-Level Burial Grounds, Hanford Site, Richland, Washington (DOE/EA-1405)*. If you wish to further discuss Nez Perce ERWM's comments, please contact Sandra Lilligren at (208) 843-7375, (208) 843-7378 (fax), or sandra1@nexperce.org (email).

Sincerely,



Patrick Sobotta
ERWM Director

Cc: Kevin Clarke (DOE)



Department of Energy
Richland Operations Office
P.O. Box 550
Richland, Washington 99352

FEB 25 2002

02-WMD-088

Mr. Patrick Sobotta, Director
Environmental Restoration/
Waste Management Program
Nez Perce Tribe
P.O. Box 365
Lapwai, Idaho 83540

Dear Mr. Sobotta:

RESPONSES TO COMMENTS PROVIDED FOR THE DRAFT ENVIRONMENTAL ASSESSMENT (EA) FOR TRANSURANIC DRUM RETRIEVAL IN THE 218-W-4B AND 218-W-4C LOW-LEVEL BURIAL GROUNDS, HANFORD SITE, RICHLAND, WASHINGTON (DOE/EA-1405)

The U.S. Department of Energy, Richland Operations Office (RL), has reviewed the comments you provided on the draft EA for Transuranic Drum Retrieval in the 218-W-4B and 218-W-4C Low-Level Burial Grounds, Hanford Site, Richland (DOE/EA-1405). Attached are responses to your comments. The comments were considered in the development of the final EA and a number of changes were made based on your comments. RL appreciates you taking the time to provide the comments.

Please direct any questions about these responses to Todd Shrader, Waste Management Division, on (509) 376-2725. Questions regarding the NEPA process may be directed to me on (509) 376-6667.

Sincerely,

A handwritten signature in cursive script, reading "Paul F. X. Dunigan, Jr.".

Paul F. X. Dunigan, Jr.
NEPA Compliance Officer

WMD:TAS

Attachment

cc w/attach:
C. M. Borgstrom, EH-42
K. (Kim) R. Welsch, FHI
Admin Record, H6-08

02-WMD-088

Attachment

Nez Perce Tribe Comments and U. S. Department of Energy Responses

**Consisting of 4 pages
including coversheet**

02-WMD-088

Comment:

As listed in **Section 2-1 PROPOSED RECORDS REVIEW, LLBG UPGRADES, AND STAGING OF EQUIPMENT** in the **third paragraph** (and in Figure 10, the flow chart), review of the record information is vital to identification of the contents in the pits. However, the following final sentence of **paragraph two** warns that records may be compromised. "Because of waste management requirements and practices from before the mid-1980's, it is anticipated that storage/burial records for some containers might be incomplete or missing." The Tribe suggests that responsible record keeping of the contents of the assayed containers during this proposed action is a critical element of the action, and that a module **addressing current record keeping** be added to end of the flow diagram to prevent incomplete or missing records in the future.

Response:

Transuranic waste removed from the 218-W-4B and 218-W-4C burial grounds will be subjected to the same rigorous record keeping requirements and acceptance review as similar wastes generated elsewhere on the Site and placed into storage at Hanford Site TSD units. Records that will be retained for removed containers include: contents inventory records, waste acceptance checklist, designation worksheets, analytical data, radiological calculations, verification documentation, and any documentation associated with specialty reviews. To indicate this, a box labeled "Update Records" has been added after the step "Stage for Shipment to TSD Facility" in Figure 10.

Comment:

It is unclear whether methods and routes to the CWC or other TSDs are to be covered in this proposed action. The EA indicates there is adequate storage at the CWC, but that other TSDs might also be used. If so, what potential impacts to the environment might transport of wastes to these locations have?

Response:

Specific transportation routes were not described within this EA and the transportation of TRU waste to and from Hanford TSDs is a routine operation. It is anticipated that all of the transportation routes will lie exclusively within the 200 West Area. The primary 'other' TSDs that might be used for storage are the Waste Receiving and Processing Facility (WRAP) and T Plant, which are also in the 200 West Area. WRAP is contiguous with the Central Waste Complex (CWC) and the distance to T Plant is about one additional mile compared to transporting to CWC. The additional impacts are minimal.

02-WMD-088

Comment:

Section 2.2 PROPOSED RETRIEVAL ACTIVITIES – Paragraph two begins, “The most efficient methodology of removing the overburden from the drums would include the maximum use of heavy earthmoving equipment.” This overburden is about one meter in thickness. The integrity of the tarps and plywood covering the containers of waste is not known at this point. Therefore, the Tribe expresses concern that using heavy equipment to remove soil cover of the trenches puts the waste containers at high risk for puncture or other destruction.

Response:

For planning purposes, it is assumed that the tarps and plywood will not provide any protection for the drums. A detailed plan for excavation will be implemented. Currently, the plan calls for mechanically removing the soil cover to within approximately one foot above and on the sides of the containers. The depth or distance to the containers will be measured frequently with push rods to ensure that the mechanical excavation does not disturb this last foot of soil cover over and around the containers. Heavy earthmoving equipment will not be utilized if there is a risk for damaging the containers. The last foot of soil around the containers will be removed manually using non-sparking hand shovels, or by using the Guzzler soil vacuum.

Comment:

In addition, we did not notice any reference to checking the integrity of the storage trenches, such as the asphalt bottoms to the pits. As it is intended that the pits remain in use for LLW long-term storage, it would seem prudent to check the pits as well as the containers at this time.

Response:

Routine weekly trench integrity inspections are required and performed per LLBG operating procedures. However, to clarify this point, the following sentence has been added near the end of the second paragraph of section 2.2. “The integrity of the trenches will be maintained to allow for long-term operations.” Eventually, after all or the TRU containers have been removed, the trenches might be converted to LLW disposal trenches and asphalt bottoms are not required for disposal trenches.

02-WMD-088

Comment:

Section 1.2 BACKGROUND – Within **paragraph four** (in italics) it is stated that some retrieval of soil covered TRU was to have been handled by the proposed action DOE/EA-0981 in 1995, but that activity was never implemented. What assurance is there that the currently proposed action will be implemented?

Response:

The initiation or completion of an action is not required based on NEPA documentation. The EA is a decision document utilized to determine if a proposed action has No Significant Impact or requires further analysis in an Environmental Impact Statement. Issuance of this EA does not assure the retrieval will take place. However, Fluor Hanford, Inc. is currently contractually incentivized to perform the retrieval operations described in this EA by September 30, 2006.

Comment:

We suggest that the EA would read more clearly if:

- a.) When describing preliminary work in the LLBG area prior to retrieval, either upgrades or modifications be used, but not both; and,

Response:

The EA has been changed to utilize the word “modifications” throughout.

Comment:

- b.) That the **third sentence in Section 2.0 DESCRIPTION OF THE PROPOSED ACTION** read as follows: “*The drums would be assayed in the LLBG and designated as containing TRU waste or LLW.*”

Response:

This change would not be accurate. Assay is but one of a number of possible designation methodologies that might be utilized.



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

December 12, 2001

Mr. Paul F. X. Dunigan, Jr.
Dept of Energy
Richland Operations Office
PO Box 550
Richland WA 99352

Dear Mr. Dunigan:

Thank you for the opportunity to comment on the draft environmental assessment (EA) for the transuranic (TRU) waste retrieval in the 218-W-4B and 218-W-4C Low-level Burial Grounds (LLBG), Hanford Site, Richland, Washington (DOE/EA-1405). We have reviewed the draft EA and have the following comments.

General Comment: This EA needs to address in more detail the handling of hazardous, dangerous, or radioactive waste generated/discovered during retrieval operations. It is possible that while during retrieval operations discoveries will be made of hazardous, dangerous, or radioactive wastes that have been released to the vadose zone. Please develop and/or describe a contingency plan for such discoveries. As well, please clarify how Investigative Derived Waste (IDW) will be handled.

Page 2-4, Section 2.3, Proposed Waste Container Disposition: In the fifth paragraph beginning with "All retrieved containers would be inspected." The last sentence states: "LLBG operating procedures would be established to safely deal with these containers." Please explain the operating procedures that will be established with regards to safety for containers with questionable integrity.

The EA does not adequately evaluate "long-term" impacts of the No Action Alternative. Rather, the EA identifies a deferral of impact analysis to a "future NEPA review". In Section 5.5.1, the following is provided: "The No Action Alternative would involve leaving the TRU waste in the LLBG in its current state, for now. This would result in little to no change in existing short-term conditions within the LLBG. In the long-term, DOE has committed to TRU retrieval that will be addressed at a later time in future NEPA review." This does not provide sufficient information on the long-term effects of the No Action Alternative to support decision-making.

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Paul F. X. Dunigan, Jr.

December 12, 2001

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If you have any questions, please contact Mr. Fred Jamison with our Nuclear Waste Program at (509) 736-3022.

Sincerely,



Rebecca J. Inman

Environmental Coordination Section

EA #01-7310

cc: Alisa Huckaby, Kennewick
Fred Jamison, Kennewick
Tracy Richards, Kennewick



Department of Energy

Richland Operations Office
P.O. Box 550
Richland, Washington 99352

FEB 25 2002

02-WMD-089

Ms. Rebecca Inman
Environmental Coordination Section
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600

Dear Ms. Inman:

RESPONSES TO COMMENTS PROVIDED FOR THE DRAFT ENVIRONMENTAL
ASSESSMENT (EA) FOR TRANSURANIC DRUM RETRIEVAL IN THE 218-W-4B AND
218-W-4C LOW-LEVEL BURIAL GROUNDS, HANFORD SITE, RICHLAND, WASHINGTON
(DOE/EA-1405)

The U.S. Department of Energy, Richland Operations Office (RL), has reviewed the comments you provided on the draft EA for Transuranic Drum Retrieval in the 218-W-4B and 218-W-4C Low-Level Burial Grounds, Hanford Site, Richland (DOE/EA-1405). Attached are responses to your comments. The comments were considered in the development of the final EA. RL appreciates you taking the time to provide the comments.

Please direct any questions about these responses to Todd Shrader, Waste Management Division, on (509) 376-2725. Questions regarding the NEPA process may be directed to me on (509) 376-6667.

Sincerely,

Paul F. X. Dunigan, Jr.
Paul F. X. Dunigan, Jr.
NEPA Compliance Officer

WMD:TAS

Attachment

cc w/attach:
C. M. Borgstrom, EH-42
K. (Kim) R. Welsch, FHI
Admin Record, H6-08
T. Richards, Ecology

02-WMD-089

Attachment

State of Washington Department of Ecology Comments and U.S. Department of Energy Responses

Consisting of 3 pages
including coversheet

02-WMD-089

General Comment:

This EA needs to address in more detail the handling of hazardous, dangerous, or radioactive waste generated/discovered during retrieval operations. It is possible that during retrieval operations discoveries will be made of hazardous, dangerous, or radioactive wastes that have been released to the vadose zone. Please develop and/or describe a contingency plan for such discoveries. As well, please clarify how Investigative Derived Waste (IDW) will be handled.

Response:

The Low-Level Burial Ground (LLBG) currently has a contingency plan and emergency response procedures that meet the requirements of WAC 173-303-350 and WAC 173-303-360. All containers will be inspected to determine integrity. When breached containers are discovered, the operating organization has a spill response procedure that directs personnel to isolate the material and minimize contamination spread. For this project, when contamination is discovered in the soil, immediate actions will include performing radiological surveys to determine the extent of the contamination and stabilizing or covering the soil to prevent contamination spread. After these initial actions, soil will be cleaned up only to the extent that personnel safety is ensured. These actions will be governed by radiological control and waste packaging procedures (and will be performed in accordance with the Tri-Party Agreement Strategy for Management of Investigation Derived Waste, signed on July 26, 1995.) This project is not intended to remediate the LLBG, but only to retrieve TRU drums. Cleanup of extensive soil contamination is outside of the scope of this project. Evaluation of the vadose zone will be performed as part of the ongoing evaluation of the entire Hanford Site groundwater/vadose zone.

Comment:

Page 2-4, Section 2.3, Proposed Waste Container Disposition: In the fifth paragraph, beginning with "All retrieved containers would be inspected" the last sentence states: "LLBG operating procedures would be established to safely deal with these containers." Please explain the operating procedures that will be established with regards to safety for containers with questionable integrity.

Response:

The LLBG operating organization uses a procedure for overpacking breached containers or containers with questionable integrity. Personnel safety and environmental protection considerations are paramount when performing this type of operation. Personnel protective equipment is selected based on radiological and chemical constituents present as known through radiological surveys and container records. Detailed instructions for packaging are provided by procedure and a job hazard analysis is performed to identify all necessary controls. Overpack container preparation is performed in an area away from exposure to contaminants to keep exposure As Low as Reasonably Achievable. In addition, all hoisting and lifting equipment attachments are inspected to ensure that they can be safely utilized. The overpack process involves ensuring container/waste compatibility, radiological surveys, and contamination control on the breached or questionable container (e.g., wrap in plastic). An integral part of the overpack process is record keeping, with detailed instructions provided to ensure that the information for the contents of the container is transferred to the new overpack drum barcode number and cross referenced with the original barcode number.

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Comment:

This EA does not adequately evaluate “long-term” impacts of the No Action Alternative. Rather, the EA identifies a deferral of impact analysis to a “future NEPA review”. In Section 5.5.1, the following is provided: “The No Action Alternative would involve leaving the TRU waste in the LLBG in its current state, for now. This would result in little to no change in existing short-term conditions within the LLBG. In the long-term, DOE has committed to TRU retrieval that will be addressed at a later time in future NEPA review.” This does not provide sufficient information on the long-term effects of the No Action Alternative to support decision-making.

Response:

This Environmental Assessment is analyzing a short-term operation that implements a portion of the preferred alternative of the Hanford Defense Waste Environmental Impact Statement (HDW-EIS) (DOE/EIS-0113). The HDW-EIS analyzes the long-term impacts of the No Action Alternative for this EA and the analysis is not repeated here.